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Special Counsel to Richard A. Marshack, Chapter 11 Trustee

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION

In re:

The Litigation Practice Group P.C.,

Debtor.

Case No. 8:23-bk-10571-SC

Chapter 11

**NOTICE OF HEARING ON MOTION
FOR FIRST ORDER REJECTING
UNEXPIRED EXECUTORY CONTRACTS
PURSUANT TO 11 U.S.C. § 365**

Date: September 14, 2023

Time: 11:00 a.m. (Pacific Time)

Location: Courtroom 5C¹
411 West Fourth Street
Santa Ana, CA 92701

¹ Video and audio connection information for each hearing will be provided on Judge Clarkson's publicly posted hearing calendar, which may be viewed online at: <http://ecf-ciao.cacb.uscourts.gov/CiaoPosted/?jid=SC>.

1 **TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES**
2 **BANKRUPTCY JUDGE, THE OFFICE OF THE UNITED STATES TRUSTEE, THE**
3 **DEBTOR, AND ALL SCHEDULED CREDITORS AND THEIR COUNSEL OF RECORD:**

4 **PLEASE TAKE NOTICE** that, on September 14, 2023 at 11:00 a.m. a hearing will be held
5 before the Honorable Scott C. Clarkson in his Courtroom 5C located at 411 W. Fourth Street, Santa
6 Ana, CA 92701, for the Court to consider the MOTION FOR FIRST ORDER REJECTING
7 UNEXPIRED EXECUTORY CONTRACTS PURSUANT TO 11 U.S.C. § 365 (the “Motion”)
8 filed by Richard A. Marshack, the Chapter 11 Trustee (the “Trustee”) for the bankruptcy estate of
9 The Litigation Practice Group P.C., (the “Debtor”) in the above-captioned bankruptcy case (the
10 “Case”).²

11 **PLEASE TAKE FURTHER NOTICE** that as set forth more fully in the Motion, the
12 Trustee seeks entry of an Order rejecting certain of the Debtor’s Affiliate Agreements, the
13 Maverick/Phoenix Agreement and the RH Contracts (collectively, the “Contracts”) attached as
14 Exhibit "A" to the Declaration of Richard A. Marshack. This will be the first of several motions to
15 reject various contracts that the Trustee will be filing.

16 **PLEASE TAKE FURTHER NOTICE** that the Motion is made pursuant to 11 U.S.C. §
17 365(a) on the grounds that the rejection of the Contracts is necessary because they do not benefit
18 the Debtor’s Estate.

19 Copies of the Motion are available upon your request from the Trustee's Counsel.

20 **DEADLINE FOR OPPOSITION:**

21 **PLEASE TAKE FURTHER NOTICE** that, pursuant to LBR 9013-1(f), any response or
22 opposition to the Motion must be (i) in writing and include a complete written statement of all
23 reasons in opposition thereto or in support or joinder thereof, declarations and copies of all
24 photographs and documentary evidence on which the responding party intends to rely and any
25 responding memorandum of points and authorities, and (ii) filed with the Court and served on the
26 Trustee, counsel for the Trustee, the Debtor, and the United States Trustee no later than 14 days
27 prior to the hearing on this Motion.

28 _____
² Capitalized terms not defined herein shall have the meaning ascribed to them in the Motion.

1 **PLEASE TAKE FURTHER NOTICE** that, pursuant to LBR 9013-1(h) the failure to
2 file and serve a timely response to the Motion may be deemed by the Court to be consent to the
3 granting of the relief requested in the Motion.

4 Dated: August 21, 2023

Respectfully submitted,

5 DINSMORE & SHOHL LLP

6
7 By: /s/ Yosina M. Lissebeck
8 Yosina M. Lissebeck
9 Christopher B. Ghio
Christopher Celentino
Counsel to Richard A. Marshack,
Chapter 11 Trustee

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
655 W. Broadway, Suite 800, San Diego, California 92101

A true and correct copy of the foregoing document entitled: **NOTICE OF HEARING ON MOTION FOR FIRST ORDER
REJECTING UNEXPIRED EXECUTORY CONTRACTS PURSUANT TO 11 U.S.C. § 365**

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in
the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General
Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On
August 22, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that
the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated
below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On August 22, 2023, I served the following persons and/or entities at the last
known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed
envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here
constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method
for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on August 22, 2023, I served the
following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to
such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration
that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is
filed.

JUDGE'S COPY - VIA FEDEX

The Honorable Scott C. Clarkson
United States Bankruptcy Court
Central District of California
Ronald Reagan Federal Building and Courthouse
411 West Fourth Street, Suite 5130 / Courtroom 5C
Santa Ana, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

<u>August 22, 2023</u>	<u>Caron Burke</u>	<u>/s/ Caron Burke</u>
<i>Date</i>	<i>Printed Name</i>	<i>Signature</i>

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This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

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2. SERVED BY UNITED STATES MAIL:

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DBA Litigation Practice Center
20280 SW Acacia St, Suite 330
Newport Beach, CA 92660

Conversion Kings
7434 W Robin Lane
Glendale, AZ 85310

Debt Relief Group LLC
1800 Old Okeechobee Rd, Suite 200
West Palm Beach, FL 33409

Four Pack Genesis
710 Pondella Rd, Suite 7
N Fort Myers, FL 33903

Hope Credit
6375 S Pecos Rd 224
Las Vegas, NV 89120

Mobo Innovations LLC
1800 Old Okeechobee Rd, Suite 200A
West Palm Beach, FL 33409

Nations Debt Solutions
2 Enterprise, 2105
Aliso Viejo, CA 92656

New Horizon Finance LLC
8101 Biscayne Blvd #506
Miami, FL 33138
Paragon Financial Corp

6300 NW 5th Way Ste 100
Fort Lauderdale, FL 33309

PILU, LLC
DBA Universal Debt Advisors
302 SW 1st Ave
Delray Beach, FL 33444

Sabia Financial Inc
444 N Michigan Ave, Suite 1200
Chicago, IL 60611

Smarter Debts LLC
238 Ambroise
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Z.A.P. Marketing Corp
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American Debt Advisors
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Certified Document Services Inc
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Corona Del Mar, CA 92625

Connected LLC
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CS Financial Associates
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Devoted Group LLC
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Green River Financial

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Phoenix Debt Pros, Inc.
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ProofPositive LLC
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